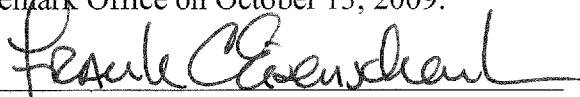


I hereby certify that this correspondence is being electronically filed in the United States Patent and Trademark Office on October 13, 2009.



Frank C. Eisenschenk, Ph.D., Patent Attorney

DECLARATION  
Patent Application  
Docket No. SER.108C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Padmavathi V. Baskar  
Art Unit : 1645  
Applicants : Beat A. Imhof, Michel Aurrand-Lions  
Serial No. : 10/579,105  
Filed : February 6, 2007  
Conf. No. : 3550  
For : Angiogenesis Inhibiting Molecules and Their Use in the Treatment and  
Diagnosis of Cancer

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

DECLARATION

Sir:


FRANK CHRISTOPHER EISENSCHENK, Ph.D., Applicants' representative in the above-referenced patent application, hereby declares:

THAT, the following deposited material: hybridoma 13H33 has been accepted for deposit with the Deutsch Sammlung von Mikroorganismen und Zellkulturen GmbH on October 22, 2003 (ATCC Designation DSM ACC2622) under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure (*e.g.*, see 961 OG 21, 1977) and that all restrictions on the availability to the public of the materials so deposited will be irrevocably removed upon the granting of a patent disclosing the deposit and that the cell line will be replaced should it ever become non-viable.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

Further declarant sayeth naught.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank C. Eisenschenk", with a stylized flourish at the end.

Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone: 352-375-8100

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Gainesville, FL 32614-2950

FCE/sl

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE



INTERNATIONAL FORM

Centre Médical Universitaire  
1, rue Michel Servet  
CH-1211 Geneva 4  
Switzerland

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: 13H33	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM ACC2622
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
<p>The microorganism identified under I. above was accompanied by:</p> <p>( X ) a scientific description ( ) a proposed taxonomic designation</p> <p>(Mark with a cross where applicable).</p>	
III. RECEIPT AND ACCEPTANCE	
<p>This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on 2003-10-22 (Date of the original deposit)<sup>1</sup></p>	
IV. RECEIPT OF REQUEST FOR CONVERSION	
<p>The microorganism identified under I above was received by this International Depositary Authority on (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request for conversion).</p>	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
<p>Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH</p> <p>Address: Mascheroder Weg 1b D-38124 Braunschweig</p>	<p>Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):</p> <p><i>V. Wahe</i></p> <p>Date: 2003-11-04</p>

<sup>1</sup> Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE



INTERNATIONAL FORM

Centre Médical Universitaire  
1, rue Michel Servet  
CH-1211 Geneva 4  
Switzerland

VIABILITY STATEMENT  
issued pursuant to Rule 10.2 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

I. DEPOSITOR		II. IDENTIFICATION OF THE MICROORGANISM	
Name: Centre Médical Universitaire 1, rue Michel Servet Address: CH-1211 Geneva 4 Switzerland		Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  DSM ACC2622  Date of the deposit or the transfer <sup>1</sup> :  2003-10-22	
III. VIABILITY STATEMENT			
The viability of the microorganism identified under II above was tested on 2003-10-23 <sup>2</sup> . On that date, the said microorganism was  (X) <sup>3</sup> viable ( ) <sup>3</sup> no longer viable			
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED <sup>4</sup>			
V. INTERNATIONAL DEPOSITARY AUTHORITY			
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Address: Mascheroder Weg 1b D-38124 Braunschweig		Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  V. Weiz  Date: 2003-11-04	

- <sup>1</sup> Indicate the date of original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).  
<sup>2</sup> In the cases referred to in Rule 10.2(a) (ii) and (iii), refer to the most recent viability test.  
<sup>3</sup> Mark with a cross the applicable box.  
<sup>4</sup> Fill in if the information has been requested and if the results of the test were negative.